

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

| | | |
|--------------------------|---|----------------------|
| UNITED STATES OF AMERICA |) | |
| |) | Case No. 1:07-cr-105 |
| vs. |) | |
| |) | JUDGE MATTICE |
| LISA IVEY |) | |

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on March 7, 2012, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision (Petition) of U.S. Probation Officer Joey Byars and the Warrant for Arrest issued by U.S. District Harry S. Mattice, Jr. Those present for the hearing included:

- (1) AUSA Perry Piper for the USA.
- (2) Defendant LISA IVEY.
- (3) Attorney Anthony Martinez for defendant.
- (4) Deputy Clerk Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of her privilege against self-incrimination accorded her under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and she qualified for the appointment of an attorney to represent her at government expense. Federal Defender Services of Eastern Tennessee, Inc. was APPOINTED to represent the defendant. It was determined the defendant had been provided with a copy of the Petition and the Warrant for Arrest and had the opportunity of reviewing those documents with her attorney. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents she had been provided.

AUSA Piper called USPO Joey Byars as a witness and moved that the defendant be detained pending a hearing to determine whether her term of supervision should be revoked.

Findings

- (1) Based upon USPO Byars' testimony and a positive drug screen, the undersigned finds there is probable cause to believe defendant has committed violations of her conditions of supervised release as alleged or set forth in the

Petition.

(2) The defendant has not carried her burden under Rule 32.1(a)(c) of the Federal Rules of Criminal Procedure, that if released on bail she will not flee or will not pose a danger to the community or herself.

Conclusions

It is ORDERED:

(1) The motion of AUSA Piper that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Mattice is GRANTED.

(2) The U.S. Marshal shall transport defendant to a revocation hearing before Judge Mattice on **Monday, March 12, 2012, at 2:00 pm.**

ENTER.

S / *William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE